

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GUNN,

Plaintiff,

v.

AYALA,

Defendant.

20-CV-00840 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

Plaintiff, currently incarcerated in Sing Sing Correctional Facility, brings this *pro se* action under 42 U.S.C. § 1983, alleging battery and assault by a correction officer named “Ayala.” (Dkt. No. 2.) By order dated February 5, 2020, the Court granted Plaintiff’s request to proceed without prepayment of fees, that is, *in forma pauperis*. On November 6, 2020, the U.S. Marshals Service attempted service of the Summons and Complaint to Ayala at the Green Haven Correctional Facility in Stormville, New York. Service was not executed because according to the U.S. Marshals Service, Ayala no longer works at Green Haven Correctional Facility. As such, this Court orders that the Department of Corrections and Community Supervision through the Office of the Attorney General file a letter on the docket by December 18, 2020 with an updated address and full name for correction officer Ayala so that service may be completed pursuant to its obligations under *Valentin v. Dinkins*, 121 F.3d 72, 76 (2d Cir. 1997). The Clerk of Court is respectfully requested to mail a copy of this order to the New York State Office of the Attorney General, 28 Liberty Street, New York, NY 10005.

SO ORDERED.

Dated: December 4, 2020
White Plains, New York



KENNETH M. KARAS
United States District Judge